

QUESTIONS AND RESPONSES

Numbers 74-80

74. DOE is currently considering shipment of TRU waste from West Valley and elsewhere to a Central Characterization Facility elsewhere in the complex. If these shipments occur, will they be paid for out of the WV budget or that for the TRU Program and WIPP? If they are to be paid by WV, is there a preliminary schedule for when shipments can begin and what the costs will be?

Answer: The shipping costs for TRU waste transportation is accounted for in the budget for the Carlsbad Field Office TRU Waste Transportation Program.

75. Will the existing ISMS system identified in C.1.4.1.1 of the Performance Work Statement be modified over the remaining calendar year to include the recently promulgated Worker Safety & Health Program Rule, (10 CFR Part 851)?

Answer: At this time, DOE does not anticipate that the existing ISMS system identified in C.1.4.1.1 of the Performance Work Statement will be modified by the end of the current calendar year to include the recently promulgated Worker Safety & Health Program Rule, (10 CFR Part 851) due to the implementation workshops not being scheduled until the 4th quarter.

76. L.5(f)(6) specifies that the Offeror shall use the format specified in Section L, Attachment L-7 to cost the elements of the WBS. The sub-elements in the Attachments, though, do not include all elements in the PWS. For instance, under C.1.1.3, Safeguards and Security, there are only two sub-elements, Information Security and Visitor Control/Badging. The summary of C.1.1.3, though, includes other activities to protect the site and government property. Those activities could include Safeguards and Security, Physical Security, Personnel Security, and Counterintelligence, none of which are included in sub-elements of Attachment L-7. Should we be adding additional sub-elements to Attachment L-7 so they will all roll up to the Attachment for Safeguard and Security? Should we simply ignore these other sub-elements for purposes of the proposal? Or should we include them in our WBS, but not be concerned about those sub-elements presented in Attachment L-7 totaling correctly.

Answer: The Offeror shall provide the cost proposal at a minimum to level 4 of the WBS. For the Main Plant Process Building decontamination and the Remote Handled Waste Facility and Vitrification Facility decontamination, the Offeror shall provide the cost proposal at a minimum to level 5 of the WBS. The Offeror is responsible to determine how it will comply with the requirements of the PWS, such as those requirements in Section C.1.1.3. The intention of Attachment L-7 is not to dictate the Offeror's WBS structure. If the PWS activity is not specifically highlighted in Attachment

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L-7, the cost could be included in additional sub-elements of the Offeror's proposed WBS as necessary.

77. Is Envirocare required to offer all teams the same costs or can EnergySolutions influence the procurement to the advantage of the team it is directly a part of by having Envirocare discount the rates for its team?

Answer: All Offerors are required to propose fair and reasonable prices for the supplies and services to be provided in the solicitation (to include prices for the Offeror, teaming/partner company and subcontractor at any tier). If an Offeror or its teaming/partner company or subcontractor at any tier proposes significantly different prices for the identical services in different proposals, it could potentially cause the DOE to conclude that such prices are not fair and reasonable in addition to raising questions of anti-competitive practices.

Please note that the DOE has an existing contract with Envirocare for the disposal of Low Level Waste that can be utilized by any of the DOE's contractors in performance of its contracts with the DOE. The contract is posted at the solicitation's website. Please refer to the contract for pricing information and specific terms and conditions.

78. Reference: RFP DE-RP30-06CC30000, section K.12(1). This section requires the offeror to submit a certification pertaining to foreign interest, Standard Form 328, and all required supporting documents to form a complete foreign ownership control or influence (FOCI) package. Would DOE identify and provide all forms required to be submitted with Standard Form 328?

Answer: Section K.12(f)(1)-(5) states what must be provided in the FOCI submission. The following forms that identify some of the required information to be submitted with Standard Form 328 for the FOCI package have been posted on the web page in Reference Documents under the General link: FOCI Summary Data Sheet; Owners, Officers, Directors, and Executive Personnel (OODPEP) List; and Representative of Foreign Interests Statements (if applicable).

79. Does DOE anticipate issuing an amendment to the RFP to incorporate changes as a result of the questions? There are responses to questions, like question 40, where the responses appear to be in conflict with the RFP.

Answer: DOE anticipates issuing an amendment to the RFP to incorporate the changes as indicated in the responses to questions.

80. Article H.1(b), Labor Relations, of the RFP requires: "The Contractor shall provide the Contracting Officer with a copy of the collective bargaining agreement within 60

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days after formal ratification.” Since this language does not address becoming signatory to the current agreement, does DOE object if the new Contractor proposes to become signatory to the current WVNSCO/IAMAW agreement?

Answer: No, DOE does not object if the new Contractor proposes to become signatory to the current WVNSCO/IAMAW agreement.